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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 MICHAEL D'AMORE, et al.,

8 Plaintiff(s),

9 v.

10 CAESARS ENTERPRISE SERVICES,  
11 LLC, et al.,

12 Defendant(s).

Case No. 2:18-CV-1990 JCM (VCF)

ORDER

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14 Presently before the court is defendant Caesars Enterprise Services, LLC's ("Caesars")  
15 motion to dismiss. (ECF No. 13). Plaintiffs Michael D'Amore, Adam Bycina, and Richard  
16 D'Hondt (collectively "plaintiffs") filed a response (ECF No. 32), to which Caesars replied (ECF  
17 No. 33).

18 Also before the court is Caesars' motion for leave to file an amended motion to dismiss  
19 and reply in support of its motion to dismiss. (ECF No. 45). Plaintiffs did not file a response and  
20 the time to do so has passed.

21 Plaintiffs bring forth the putative class action challenging Caesars' practice of declining  
22 overtime pay to table game service supervisors prior to October 2016. (ECF No. 1). Caesars filed  
23 a motion to dismiss and motion for leave to amend on November 26, 2018, and February 13, 2019,  
24 respectively. (ECF Nos. 13, 45). On March 5, 2019, plaintiffs filed an amended complaint and  
25 Caesars subsequently filed a motion to dismiss the amended complaint. (ECF Nos. 50, 52).

26 Because the motion to dismiss the amended complaint and related filings fully brief the  
27 relevant issues in this case, the court will dismiss without prejudice Caesars' motion to dismiss the  
28 original complaint and motion for leave to amend.

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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Caesars’ motion to dismiss (ECF No. 13) be, and the same hereby is, DENIED without prejudice.

IT IS FURTHER ORDERED that Caesars’ motion for leave to amend (ECF No. 45) be, and the same hereby is, DENIED without prejudice.

DATED May 13, 2019.

  
UNITED STATES DISTRICT JUDGE